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11 Attorney for Plaintiff
12 ALISA PETROV

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALISA PETROV,

Plaintiff,

vs.

THE UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, and
DOES 1-100, Inclusive,

Defendants.

Case No.: 3:15-cv-05552-EDL

**CASE MANAGEMENT STATEMENT;
REQUEST FOR CONTINUANCE OF
CASE MANAGEMENET CONFERENCE;
PROPOSED ORDER**

Hearing date: 3/8/16
Hearing time: 10:00 a.m.
Location: Courtroom E, 15th Floor
Phillip Burton Federal Building
450 Golden Gate Ave.
San Francisco, CA 94102

Honorable: Elizabeth D. Laporte

Plaintiff Alisa Petrov submits this case management statement pursuant to the
Standing Order for All Judges of the Northern District of California dated November 1, 2014

1 and Civil Local Rule 16-9. Plaintiff also submit herewith a continuance of the case
2 management conference currently scheduled for March 8, 2016 to a date to be determined
3 after service of defendant in this case. Defendant has not been served since the summons
4 in this case was not issued until February 19, 2016 and upon issuance of the summons an
5 amended proposed summons was filed on March 1, 2016 to correct the plaintiff's name on
6 the summons.

7 **1. Jurisdiction and Service**

8 Plaintiff asserts jurisdiction under the Federal Tort Claims Act ("FTCA"). Plaintiff
9 believes venue is proper and service is complete.

10 **2. Facts**

11 Plaintiff Alisa Petrov alleges that a federally-supported health care clinic wrongfully
12 failed to diagnose and treat her mother Arden Johnson Petrov's cancer, resulting in a
13 significant change in her mother's life expectancy and ultimately her death.

14 **3. Legal Issues**

15 Plaintiff requests a continuance of the case management conference for thirty (30)
16 days or until a date to be determined after service of defendant in this case and defendant
17 has appeared in the case.

18 **4. Motions**

19 None at present.

20 **5. Amendment of Pleadings**

21 Not applicable at present.

22 **6. Evidence Preservation**

23 The parties have taken, and will continue to take, reasonable steps to preserve any
24 evidence relevant to the issues reasonably evident in this lawsuit. The deposition of Arden
25 Johnson Petrov was taken in January 2015 in anticipation of her failing health.

26 **7. Disclosures**

27 The parties will exchange initial disclosures at an agreed time.

28 **8. Discovery**

1 The deposition of Arden Johnson Petrov was taken January 2015 in anticipation of her
2 failing health.

3 **9. Class Actions**

4 Not applicable.

5 **10. Related Cases**

6 Arden Petrov v. The United States Department of Health and Human Services, Case
7 No.: 4:14-cv-04542-DMR.

8 **11. Relief**

9 Plaintiff seeks damages and costs of over \$2,000,000.

10 **12. Settlement and ADR**

11 Settlement discussions would be premature prior to additional discovery.

12 **13. Consent to Magistrate Judge for All Purposes**

13 Both parties have consented to proceed before the Honorable Donna M. Ryu.

14 **14. Other References**

15 Not applicable.

16 **15. Narrowing of Issues**

17 Unknown at present.

18 **16. Expedited Trial Procedure**

19 None suggested.

20 **17. Scheduling and Trial**

21 Plaintiff respectfully asks the Court to defer setting a case management schedule to
22 allow time for defendant to be served and appear in the case.

23 **18. Disclosure of Non-party Interested Entities or Persons**

24 Plaintiff is not aware of any non-party interested entities or persons.

25 **19. Professional Conduct**

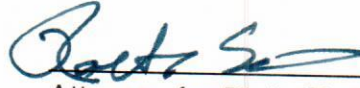
26 Lead counsel for plaintiff has reviewed the Guidelines for Professional Conduct for the
27 Northern District of California.

28 **20. Additional Case Management Issues: Stipulation**

1 Plaintiff requests a continuance of the case management conference currently
2 scheduled for May 8, 2016 pending service on defendants.

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4 Dated: March 1, 2016

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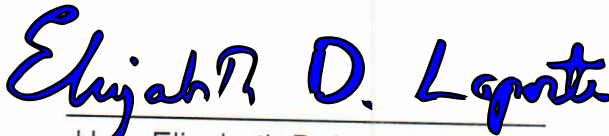
7 Attorney for Plaintiff, Alisa Petrov
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10 **[PROPOSED] CASE MANAGEMENT ORDER**
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12 Pursuant to stipulation, the case management conference ~~currently set for May 8,~~
13 ~~2016~~ is continued to May 10, 2016 at 3:00 pm. An updated case management statement is due by May 3, 2016.

14 IT IS SO ORDERED.
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16 Dated: March 7, 2016

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18 Hon. Elizabeth D. Laporte
19 United States Magistrate Judge
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